

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Constitutional Rights,
 2 Rule of Law & Government Operations Subcommittee
 3 Representative McFarland offered the following:
 4

Amendment (with title amendment)

6 Remove lines 685-1144 and insert:

7 Administrative Register.

8 (f) An agency may not supersede an emergency rule
 9 currently in effect. Technical changes to an emergency rule may
 10 be made within the first 7 days after adoption of the rule.

11 (7) PETITION TO INITIATE RULEMAKING.—

12 (a) Any person regulated by an agency or having
 13 substantial interest in an agency rule may petition an agency to
 14 adopt, amend, or repeal a rule or to provide the minimum public
 15 information required by this chapter. The petition must shall
 16 specify the proposed rule and action requested. The agency shall

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17 file a copy of the petition with the committee. No ~~Not~~ later
18 than 30 calendar days after ~~following the date of~~ filing a
19 petition, the agency shall initiate rulemaking proceedings under
20 this chapter, otherwise comply with the requested action, or
21 deny the petition with a written statement of its reasons for
22 the denial.

23 Section 3. Section 120.541, Florida Statutes, is amended
24 to read:

25 120.541 Statement of estimated regulatory costs.—

26 (1)(a) Within 21 days after publication of the notice of a
27 proposed rule or notice of change ~~required under s.~~
28 120.54(3)(a), a substantially affected person may submit to an
29 agency a good faith written proposal for a lower cost regulatory
30 alternative to a proposed rule which substantially accomplishes
31 the objectives of the law being implemented. The agency shall
32 provide a copy of any proposal for a lower cost regulatory
33 alternative to the committee at least 21 days before filing the
34 rule for adoption. The proposal may include the alternative of
35 not adopting any rule if the proposal explains how the lower
36 costs and objectives of the law will be achieved by not adopting
37 any rule. If submitted after a notice of change, a proposal for
38 a lower cost regulatory alternative is deemed to be made in good
39 faith only if the person reasonably believes, and the proposal
40 states, the person's reasons for believing that the proposed
41 rule as changed by the notice of change increases the regulatory

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42 costs or creates an adverse impact on small businesses that was
43 not created by the previous proposed rule. If such a proposal is
44 submitted, the 90-day period for filing the rule is extended 21
45 days. Upon the submission of the lower cost regulatory
46 alternative, the agency shall ~~prepare a statement of estimated~~
47 ~~regulatory costs as provided in subsection (2), or shall~~ revise
48 its prior statement of estimated regulatory costs, and either
49 adopt the alternative proposal, reject the alternative proposal,
50 or modify the proposed rule to reduce the regulatory costs. If
51 the agency rejects the alternative proposal or modifies the
52 proposed rule, the agency shall ~~or~~ provide a statement of the
53 reasons for rejecting the alternative in favor of the proposed
54 rule.

55 ~~(b) If a proposed rule will have an adverse impact on~~
56 ~~small business or if the proposed rule is likely to directly or~~
57 ~~indirectly increase regulatory costs in excess of \$200,000 in~~
58 ~~the aggregate within 1 year after the implementation of the~~
59 ~~rule, the agency shall prepare a statement of estimated~~
60 ~~regulatory costs as required by s. 120.54(3)(b).~~

61 (b)(e) The agency must ~~shall~~ revise a statement of
62 estimated regulatory costs if any change to the rule made under
63 s. 120.54(3)(d) increases the regulatory costs of the rule or if
64 the rule is modified in response to the submission of a lower
65 cost regulatory alternative. A summary of the revised statement
66 must be included with any subsequent notice published under s.

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67 120.54(3).

68 ~~(c)(d)~~ At least 21 days before filing the proposed rule
69 for adoption, an agency that is required to revise a statement
70 of estimated regulatory costs shall provide the statement to the
71 person who submitted the lower cost regulatory alternative, to
72 the rules ombudsman in the Executive Office of the Governor, and
73 to the committee. The revised statement must be published and
74 made available in the same manner as the original statement of
75 estimated regulatory costs and shall provide notice on the
76 agency's website that it is available to the public.

77 ~~(d)(e)~~ Notwithstanding s. 120.56(1)(c), the failure of the
78 agency to prepare and publish a statement of estimated
79 regulatory costs or to respond to a written lower cost
80 regulatory alternative as provided in this subsection is a
81 material failure to follow the applicable rulemaking procedures
82 or requirements set forth in this chapter.

83 ~~(e)(f)~~ An agency's failure to prepare a statement of
84 estimated regulatory costs or to respond to a written lower cost
85 regulatory alternative may not be raised in a proceeding
86 challenging the validity of a rule pursuant to s. 120.52(8)(a)
87 unless:

88 1. Raised in a petition filed no later than 1 year after
89 the effective date of the rule; and

90 2. Raised by a person whose substantial interests are
91 affected by the rule's regulatory costs.

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92 ~~(f)-(g)~~ A rule that is challenged pursuant to s.
93 120.52(8) (f) may not be declared invalid unless:
94 1. The issue is raised in an administrative proceeding
95 within 1 year after the effective date of the rule;
96 2. The challenge is to the agency's rejection of a lower
97 cost regulatory alternative offered under paragraph (a) or s.
98 120.54(3) (b) 2.c. ~~s. 120.54(3) (b) 2.b.~~; and
99 3. The substantial interests of the person challenging the
100 rule are materially affected by the rejection.
101 (2) A statement of estimated regulatory costs must ~~shall~~
102 include:
103 (a) An economic analysis showing whether the rule directly
104 or indirectly:
105 1. Is likely to have an adverse impact on economic growth,
106 private sector job creation or employment, or private sector
107 investment in excess of \$1 million in the aggregate within 5
108 years after the implementation of the rule;
109 2. Is likely to have an adverse impact on business
110 competitiveness, including the ability of persons doing business
111 in the state to compete with persons doing business in other
112 states or domestic markets, productivity, or innovation in
113 excess of \$1 million in the aggregate within 5 years after the
114 implementation of the rule; or
115 3. Is likely to increase regulatory costs, including all
116 any transactional costs and impacts estimated in the statement,

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117 in excess of \$1 million in the aggregate within 5 years after
118 the implementation of the rule.

119 (b) A good faith estimate of the number of individuals,
120 small businesses, and other entities likely to be required to
121 comply with the rule, together with a general description of the
122 types of individuals likely to be affected by the rule.

123 (c) A good faith estimate of the cost to the agency, and
124 to any other state and local government entities, of
125 implementing and enforcing the proposed rule, and any
126 anticipated effect on state or local revenues.

127 (d) A good faith estimate of the compliance ~~transactional~~
128 costs likely to be incurred by individuals and entities,
129 including local government entities, required to comply with the
130 requirements of the rule. ~~As used in this section,~~
131 ~~"transactional costs" are direct costs that are readily~~
132 ~~ascertainable based upon standard business practices, and~~
133 ~~include filing fees, the cost of obtaining a license, the cost~~
134 ~~of equipment required to be installed or used or procedures~~
135 ~~required to be employed in complying with the rule, additional~~
136 ~~operating costs incurred, the cost of monitoring and reporting,~~
137 ~~and any other costs necessary to comply with the rule.~~

138 (e) An analysis of the impact on small businesses as
139 defined by s. 288.703, and an analysis of the impact on small
140 counties and small cities as defined in s. 120.52. The impact
141 analysis for small businesses must include the basis for the

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142 agency's decision not to implement alternatives that would
143 reduce adverse impacts on small businesses.

144 (f) Any additional information that the agency determines
145 may be useful.

146 (g) In the ~~statement or~~ revised statement, ~~whichever~~
147 ~~applies~~, a description of any regulatory alternatives submitted
148 under paragraph (1)(a) and a statement adopting the alternative
149 or a statement of the reasons for rejecting the alternative in
150 favor of the proposed rule.

151 (3) If the adverse impact or regulatory costs of the rule
152 exceed any of the criteria established in paragraph (2)(a), the
153 rule must ~~shall~~ be submitted to the President of the Senate and
154 Speaker of the House of Representatives no later than 30 days
155 before ~~prior to~~ the next regular legislative session, and the
156 rule may not take effect until it is ratified by the
157 Legislature.

158 (4) Subsection (3) does not apply to the adoption of:

159 (a) Federal standards pursuant to s. 120.54(6).

160 (b) Triennial updates of and amendments to the Florida
161 Building Code which are expressly authorized by s. 553.73.

162 (c) Triennial updates of and amendments to the Florida
163 Fire Prevention Code which are expressly authorized by s.
164 633.202.

165 (d) Emergency rules adopted pursuant to s. 120.54(4).

166 (5) For purposes of subsections (2) and (3), adverse

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167 impacts and regulatory costs likely to occur within 5 years
168 after implementation of the rule include adverse impacts and
169 regulatory costs estimated to occur within 5 years after the
170 effective date of the rule. However, if any provision of the
171 rule is not fully implemented upon the effective date of the
172 rule, the adverse impacts and regulatory costs associated with
173 such provision must be adjusted to include any additional
174 adverse impacts and regulatory costs estimated to occur within 5
175 years after implementation of such provision.

176 (6) (a) In evaluating the impacts described in paragraphs
177 (2) (a) and (e), an agency shall include good faith estimates of
178 market impacts likely to result from compliance with the
179 proposed rule, including:

180 1. Increased customer charges for goods or services.

181 2. Decreased market value of goods or services produced,
182 provided, or sold.

183 3. Increased costs resulting from the purchase of
184 substitute or alternative goods or services.

185 4. The reasonable value of time to be spent by owners,
186 officers, operators, and managers to understand and comply with
187 the proposed rule, including, but not limited to, time to be
188 spent to complete required education, training, or testing.

189 5. Capital costs.

190 6. Any other impacts suggested by the rules ombudsman in
191 the Executive Office of the Governor or by any interested

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192 persons.
193 (b) In estimating the information required in paragraphs
194 (2)(b)-(e), the agency may use surveys of individuals,
195 businesses, business organizations, counties, and municipalities
196 to collect data helpful to estimate the costs and impacts.
197 (c) In estimating compliance costs under paragraph (2)(d),
198 the agency shall consider, among other matters, all direct and
199 indirect costs necessary to comply with the proposed rule which
200 are readily ascertainable based upon standard business
201 practices, including, but not limited to, costs related to:
202 1. Filing fees.
203 2. Expenses to obtain a license.
204 3. Necessary equipment.
205 4. Installation, utilities, and maintenance of necessary
206 equipment.
207 5. Necessary operations and procedures.
208 6. Accounting, financial, information management, and
209 other administrative processes.
210 7. Other processes.
211 8. Labor based on relevant rates of wages, salaries, and
212 benefits.
213 9. Materials and supplies.
214 10. Capital expenditures, including financing costs.
215 11. Professional and technical services, including
216 contracted services necessary to implement and maintain

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217 compliance.
218 12. Monitoring and reporting.
219 13. Qualifying and recurring education, training, and
220 testing.
221 14. Travel.
222 15. Insurance and surety requirements.
223 16. A fair and reasonable allocation of administrative
224 costs and other overhead.
225 17. Reduced sales or other revenues.
226 18. Other items suggested by the rules ombudsman in the
227 Executive Office of the Governor or by any interested person,
228 business organization, or business representative.
229 (7)(a) The Department of State shall include on the
230 Florida Administrative Register website the agency website
231 addresses where statements of estimated regulatory costs can be
232 viewed in their entirety.
233 (b) An agency that prepares a statement of estimated
234 regulatory costs must provide, as part of the notice required
235 under s. 120.54(3)(a), the agency website address where the
236 statement of estimated regulatory costs can be read in its
237 entirety to the Department of State for publication in the
238 Florida Administrative Register.
239 (c) If an agency revises its statement of estimated
240 regulatory costs, the agency must provide notice that a revision
241 has been made. Such notice must include the agency website

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242 address where the revision can be viewed in its entirety.

243 Section 4. Section 120.5435, Florida Statutes, is created
244 to read:

245 120.5435 Repromulgation of rules.—

246 (1) It is the intent of the Legislature that each agency
247 periodically review its rules for consistency with the powers
248 and duties granted by its enabling statutes.

249 (2) If an agency determines after review that substantive
250 changes to update a rule are not required, such agency must
251 repromulgate the rule to reflect the date of the review. Each
252 agency shall review its rules pursuant to this section either 5
253 years after July 1, 2023, if the rule was adopted before January
254 1, 2010, or 10 years after the rule is adopted, if the rule was
255 adopted on or after January 1, 2010. Failure of an agency to
256 adhere to the deadlines imposed in this section shall be a basis
257 for any person regulated by the agency or having substantial
258 interest in the agency rule to petition the agency requesting
259 the agency to review the rule in accordance with this section.
260 Upon receipt of such a petition, the agency shall have 30 days
261 to either comply with the requirements of this section or, if
262 the agency determines that the duties imposed on the agency are
263 inapplicable at that time to the specified rule, deny the
264 petition with a statement explaining the basis for the denial.

265 (3) Before repromulgation of a rule, the agency must, upon
266 approval by the agency head or the agency head's designee:

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267 (a) Publish a notice of repromulgation in the Florida
268 Administrative Register. A notice of repromulgation is not
269 required to include the text of the rule being repromulgated.

270 (b) File the rule for repromulgation with the Department
271 of State. A rule may not be filed for repromulgation less than
272 28 days, and not more than 90 days, after the date of
273 publication of the notice required by paragraph (a).

274 (4) The agency must file a notice of repromulgation with
275 the committee at least 14 days before filing the rule for
276 repromulgation. At the time the rule is filed for
277 repromulgation, the committee shall certify whether the agency
278 has responded in writing to all material and timely written
279 comments or written inquiries made on behalf of the committee.

280 (5) A repromulgated rule is not subject to challenge as a
281 proposed rule pursuant to s. 120.56(2).

282 (6) The hearing requirements of s. 120.54 do not apply to
283 repromulgation of a rule.

284 (7)(a) The agency, upon approval of the agency head or the
285 agency head's designee, shall file with the Department of State
286 three certified copies of the repromulgated rule it proposes to
287 adopt and one certified copy of any material incorporated by
288 reference in the rule.

289 (b) The repromulgated rule shall be adopted upon filing
290 with the Department of State and becomes effective 20 days after
291 the date it is filed.

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292 (c) The Department of State shall update the history note
293 of the rule in the Florida Administrative Code to reflect the
294 effective date of the repromulgated rule.

295 (8) Any rule that is not repromulgated in accordance with
296 this section must be submitted to the President of the Senate
297 and the Speaker of the House of Representatives within 7 days
298 after the decision to not repromulgate the rule. The decision to
299 not repromulgate shall not become effective until the conclusion
300 of the next regular session of the Legislature following the
301 decision.

302 (9) The Department of State shall adopt rules to implement
303 this section by December 31, 2023.

304 Section 5. Section 120.5436, Florida Statutes, is created
305 to read:

306 120.5436 Infrastructure permitting review.-

307 (1)(a) It is the intent of the Legislature to build a more
308 resilient and responsive government infrastructure to allow
309 quick recovery after natural disasters including hurricanes and
310 tropical storms.

311 (b) It is the intent of the Legislature to promote
312 efficiency in the state's government across branches, agencies,
313 and other governmental entities and to identify areas of
314 improvement within each that allows for quick, effective
315 delivery of services.

316 (c) Further, the Legislature intends for the state to seek

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317 out ways to improve its administrative procedures in relevant
318 fields to build a streamlined permitting process that withstands
319 disruptions caused by natural disasters including hurricanes and
320 tropical storms.

321 (2) (a) The Department of Environmental Protection and
322 water management districts shall conduct a holistic review of
323 their current coastal permitting processes and other permit
324 programs. These permitting processes shall include, but not be
325 limited to, coastal construction control line permits, joint
326 coastal permits, environmental resource permits, and, consistent
327 with the terms of the United States Environmental Protection
328 Agency's approval, state-administered 404 permits.

329 (b) The scope and purpose of the review shall be to
330 identify areas of improvement to increase efficiency within each
331 process. Factors that must be considered in the review include
332 the following:

333 1. The requirements to obtain a permit.

334 2. Time periods for review, including by commenting
335 agencies, and approval of the permit application.

336 3. Areas for improved efficiency and decision-point
337 consolidation within a single project's process.

338 4. Areas of duplication across one or more permit
339 programs.

340 5. The methods of requesting permits.

341 6. Any other factors that may increase the efficiency of

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342 permitting processes and may allow improved storm recovery.

343 (c) By December 31, 2023, the department and water
344 management districts shall provide their findings and proposed
345 solutions in a report to the Governor, the President of the
346 Senate, and the Speaker of the House of Representatives.

347 Section 6. Subsection (1) of section 120.545, Florida
348 Statutes, is amended to read:

349 120.545 Committee review of agency rules.—

350 (1) As a legislative check on legislatively created
351 authority, the committee shall examine each existing rule and
352 proposed rule, except for those proposed rules exempted by s.
353 120.81(1) (e) and (2), and its accompanying material, and each
354 emergency rule, ~~and may examine any existing rule,~~ for the
355 purpose of determining whether:

356 (a) The rule is an invalid exercise of delegated
357 legislative authority.

358 (b) The statutory authority for the rule has been
359 repealed.

360 (c) The rule reiterates or paraphrases statutory material.

361 (d) The rule is improper form.

362 (e) The notice given before ~~prior to~~ its adoption was
363 sufficient to give adequate notice of the purpose and effect of
364 the rule.

365 (f) The rule is consistent with expressed legislative
366 intent pertaining to the specific provisions of law which the

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367 rule implements.

368 (g) The rule is necessary to accomplish the apparent or
369 expressed objectives of the specific provision of law which the
370 rule implements.

371 (h) The rule is a reasonable implementation of the law as
372 it affects the convenience of the general public or persons
373 particularly affected by the rule.

374 (i) The rule could be made less complex or more easily
375 comprehensible to the general public.

376 (j) The rule's statement of estimated regulatory costs
377 complies with the requirements of s. 120.541 and whether the
378 rule does not impose regulatory costs on the regulated person,
379 county, or city which could be reduced by the adoption of less
380 costly alternatives that substantially accomplish the statutory
381 objectives.

382 (k) The rule will require additional appropriations.

383 (l) If the rule is an emergency rule, there exists an
384 emergency justifying the adoption of such rule, the agency is
385 within its statutory authority, and the rule was adopted in
386 compliance with the requirements and limitations of s.
387 120.54(4).

388 Section 7. Paragraphs (a) and (c) of subsection (1) of
389 section 120.55, Florida Statutes, are amended to read:

390 120.55 Publication.—

391 (1) The Department of State shall:

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392 (a)1. Through a continuous revision and publication
393 system, compile and publish electronically, on a website managed
394 by the department, the "Florida Administrative Code." The
395 Florida Administrative Code must ~~shall~~ contain all rules adopted
396 by each agency, citing the grant of rulemaking authority and the
397 specific law implemented pursuant to which each rule was
398 adopted, all history notes as authorized in s. 120.545(7),
399 complete indexes to all rules contained in the code, and any
400 other material required or authorized by law or deemed useful by
401 the department. The electronic code must ~~shall~~ display each rule
402 chapter currently in effect in browse mode and allow full text
403 search of the code and each rule chapter. The department may
404 contract with a publishing firm for a printed publication;
405 however, the department shall retain responsibility for the code
406 as provided in this section. The electronic publication is ~~shall~~
407 ~~be~~ the official compilation of the administrative rules of this
408 state. The Florida Administrative Code must be published daily
409 by 8 a.m. If a rule, after publication, is corrected and
410 replaced, the Florida Administrative Code must indicate:

411 a. That the Florida Administrative Code has been
412 republished; and

413 b. That the rule that has been corrected by the Department
414 of State.

415
416 The Department of State retains ~~shall retain~~ the copyright over

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417 the Florida Administrative Code.

418 2. Not publish rules in the Florida Administrative Code
419 which are general in form but applicable to only one school
420 district, community college district, or county, or a part
421 thereof, or state university rules relating to internal
422 personnel or business and finance shall not be published in the
423 Florida Administrative Code. Exclusion from publication in the
424 Florida Administrative Code does shall not affect the validity
425 or effectiveness of such rules.

426 3. At the beginning of the section of the code dealing
427 with an agency that files copies of its rules with the
428 department, ~~the department shall~~ publish the address and
429 telephone number of the executive offices of each agency, the
430 manner by which the agency indexes its rules, a listing of all
431 rules of that agency excluded from publication in the code, and
432 a statement as to where those rules may be inspected.

433 4. Not publish forms shall not be published in the Florida
434 Administrative Code; but any form which an agency uses in its
435 dealings with the public, along with any accompanying
436 instructions, shall be filed with the committee before it is
437 used. Any form or instruction which meets the definition of
438 "rule" provided in s. 120.52 must shall be incorporated by
439 reference into the appropriate rule. The reference must shall
440 specifically state that the form is being incorporated by
441 reference and must shall include the number, title, and

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442 effective date of the form and an explanation of how the form
443 may be obtained. Each form created by an agency which is
444 incorporated by reference in a rule notice of which is given
445 under s. 120.54(3)(a) after December 31, 2007, must clearly
446 display the number, title, and effective date of the form and
447 the number of the rule in which the form is incorporated.

448 5. Require all materials incorporated by reference in any
449 part of an adopted rule and in any part of a repromulgated rule

450 ~~The department shall allow adopted rules and material~~
451 ~~incorporated by reference to be filed in the manner prescribed~~
452 ~~by s. 120.54(1)(i)3.a. or b. electronic form as prescribed by~~
453 ~~department rule.~~ When a rule is filed for adoption or
454 repromulgation with incorporated material in electronic form,
455 the department's publication of the Florida Administrative Code
456 on its website must contain a hyperlink from the incorporating
457 reference in the rule directly to that material. The department
458 may not allow hyperlinks from rules in the Florida
459 Administrative Code to any material other than that filed with
460 and maintained by the department, but may allow hyperlinks to
461 incorporated material maintained by the department from the
462 adopting agency's website or other sites.

463 6. Include the date of any technical changes to a rule in
464 the history note of the rule in the Florida Administrative Code.

465 A technical change does not affect the effective date of the
466 rule.

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467 (b) Electronically publish on a website managed by the
468 department a continuous revision and publication entitled the
469 "Florida Administrative Register," which shall serve as the
470 official publication and must contain:

471 1. All notices required by s. 120.54(2) and (3)(a),
472 showing the text of all rules proposed for consideration.

473 2. All notices of public meetings, hearings, and workshops
474 conducted in accordance with s. 120.525, including a statement
475 of the manner in which a copy of the agenda may be obtained.

476 3. A notice of each request for authorization to amend or
477 repeal an existing uniform rule or for the adoption of new
478 uniform rules.

479 4. Notice of petitions for declaratory statements or
480 administrative determinations.

481 5. A summary of each objection to any rule filed by the
482 Administrative Procedures Committee.

483 6. A list of rules filed for adoption in the previous 7
484 days.

485 7. A list of all rules filed for adoption pending
486 legislative ratification under s. 120.541(3). A rule shall be
487 removed from the list once notice of ratification or withdrawal
488 of the rule is received.

489 8. The full text of each emergency rule in effect on the
490 date of publication.

491 9. Any other material required or authorized by law or

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492 deemed useful by the department.

493

494 The department may contract with a publishing firm for a printed
495 publication of the Florida Administrative Register and make
496 copies available on an annual subscription basis.

497

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T I T L E A M E N D M E N T

501

Remove lines 58-131 and insert:

502

published in the Florida Administrative Register; prohibiting
503 agencies from making changes to emergency rules by superseding
504 the rule; authorizing an agency to make technical changes to an
505 emergency rule during a specified timeframe; requiring an agency
506 to file a copy of a certain petition with the committee; making
507 technical changes; amending s. 120.541, F.S.; requiring an
508 agency to provide a copy of a proposal for a lower cost
509 regulatory alternative to the committee within a certain
510 timeframe; specifying the circumstances under which such
511 proposal is deemed to be made in good faith; revising
512 requirements for an agency's consideration of a lower cost
513 regulatory alternative; providing for an agency's revision and
514 publication of a revised statement of estimated regulatory costs
515 in response to such alternatives; requiring that the revised
516 statement of estimated regulatory costs be made available in the

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517 same manner as the original; deleting the definition of the term
518 "transactional costs"; revising the applicability of specified
519 provisions; providing additional requirements for the
520 calculation of estimated regulatory costs; making technical
521 changes; conforming provisions to changes made by the act;
522 conforming a cross-reference; creating s. 120.5435, F.S. ;
523 providing legislative intent; requiring agency review of rules
524 and repromulgation of rules that do not require substantive
525 changes within a specified timeframe; providing the effect of a
526 failure to adhere to certain deadlines; requiring an agency to
527 publish a notice of repromulgation in the Florida Administrative
528 Register and file a rule for promulgation with the department
529 within a specified timeframe; requiring an agency to file a
530 notice of repromulgation with the committee within a specified
531 timeframe; requiring the committee to provide the department a
532 certain notice; requiring the department to publish the notice
533 in the Florida Administrative Register; providing that a notice
534 of repromulgation is not required to include the text of the
535 rule being repromulgated; requiring the committee to certify if
536 the agency has provided certain responses to the committee;
537 providing that a repromulgated rule is not subject to challenge
538 as a proposed rule and that certain hearing requirements do not
539 apply; requiring an agency to file a specified number of
540 certified copies of a proposed repromulgated rule and any
541 material incorporated by reference; providing that a

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542 repromulgated rule is adopted upon filing with the department
543 and becomes effective after a specified time; requiring the
544 department to update certain information in the Florida
545 Administrative Code; requiring the submission of certain rules
546 to the Legislature within a certain period; requiring the
547 department to adopt rules by a certain date; creating s.
548 120.5436, F.S.; providing legislative intent; requiring the
549 Department of Environmental Protection and water management
550 districts to conduct a review of certain permitting processes
551 and permit programs; requiring the review to consider certain
552 factors; requiring the department and water management districts
553 to provide a report to the Governor and Legislature by a certain
554 date; amending s. 120.545, F.S.; requiring the committee to
555 examine certain existing rules; amending s. 120.55, F.S.;
556 requiring the Department of State to publish the Florida
557 Administrative Code daily at a specified time; requiring the
558 department to indicate a rule was corrected or replaced by
559 republishing the code and noting the rule was corrected;
560 requiring materials incorporated by reference to be filed in a
561 specified manner; requiring the department to include the date
562 of a technical rule change in the Florida Administrative Code;
563 providing that a technical change does not affect the effective
564 date of a rule; requiring publication in the Florida
565 Administrative Register of the full text of all emergency rules
566 currently in effect;

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